T-509

F-004

8210 SouthPark Terrace Littleton, Colorado 80120 Telephone (303) 268-0066 Facsimile (303) 268-0065 e-Mail: firm@sbiplaw.com

BECEINED CENTRAL FAX CENTER

NOV 08 2007

FACSIMILE COVER PAGE

TO:

Robert Mondesi

FROM-Swanson Bratschan

COMPANY:

United States Patent and Trademark Office

FACSIMILE #:

571-273-8300

FROM:

571-272-0956

DATE:

November 8, 2007

Number of pages, including cover page 4, Faxed 4.

Please call Sue Devlin at (303) 268-0066 if you do not receive all pages or have trouble receiving this transmission.

THIS TRANSMISSION AND THE ACCOMPANYING DOCUMENTS MAY CONTAIN CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT NAMED ABOVE, YOU ARE HEREBY NOTHERD THAT ANY DISCLOSURE OR ACTION TAKEN BASED UPON THE CONTENT OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS INFORMATION IN ERROR, PLEASE NOTHY OUR OFFICE IMMEDIATELY AND MAIL THIS TRANSMISSION TO OUR OFFICE.

RE:

U.S. Application Serial No.: 10/031,496

Title: CELLOBIOHYDROLASE 1 GENE AND

IIMPROVED VARIANTS

Filed: January 14, 2002

Art Unit: 1652

Confirmation No.: 6834

Attorney Docket No.: NREL 99-45

Dear Mr. Mondesi:

Please refer to the attached Proposed Amendment in regard to the above-referenced matter.

Thank you.

Regards,

Paul J. Prendergast

3032680065

P.002/004 F-004 T-509

Attorney Docket No. NREL 99-45

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

APPLICANT:

ADNEY, ET AL.

NOV 0 8 2007

SERIAL NO.:

10/031,496

EXAMINER: MONDESI.

ROBERT

FILED:

JANUARY 14, 2002

ART UNIT:

TITLE:

CELLOBIOHYDROLASE 1 GENE

CONF. NO.:

AND IMPROVED VARIANTS

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PROPOSED AMENDMENT

Sir:

In response to the November 7, 2007 teleconference with the Examiner, Applicants propose the following two options for addressing the Examiner's concern regarding the numbering of the residues described in the claims/specification and the respective residues in SEQ ID NO: 5:

Add a wherein clause to each of the independent claims indicating the signal sequence is 1. removed and the residue count starts at the mature protein. Such an amendment is supported by the originally filed specification at least on page 5, first and second paragraphs, as well as Figure I which shows the coding sequence for the fusion protein (17 amino acid signal sequence with the 498 amino acid glucoamylase). Figure 1 clearly identifies the nucleic acids encoding the signal sequence distinct from the nucleic acids encoding the mature protein.

As such, Claim 6 could be amended to read as follows:

6. A nucleic acid molecule having a nucleic acid sequence encoding a variant cellobiohydrolase mutated with respect to a wild-type cellobiohydrolase represented by SEQ ID NO: 5, the mutation providing means for improving cellobiohydrolase functionality with respect to the wild-type cellobiohydrolase functionality, wherein the functionality is thermostability, enzymatic activity, catalytic activity, product inhibition, glycosylation, and/or peptide strain,